

PS8
(8/88)

United States District Court
for the
Eastern District of Michigan

U.S.A. vs. **Robin Herndon**

Docket No. 17-20489-18

Petition for Action on Conditions of Pretrial Release

COMES NOW Michael Portelli, Pretrial Services Officer, presenting an official report on defendant Robin Herndon, who was placed under pretrial release supervision on a \$10,000.00 unsecured bond by United States Magistrate Judge David R. Grand, sitting in the court at the Eastern District of Michigan, on July 27, 2020, under the following conditions:

1. Report as directed to Pretrial Services
2. Surrender any passport to Pretrial Services within one week
3. Do not obtain a passport or other international travel document
4. Travel restricted to the Eastern District of Michigan and the Central District of California
5. No contact with co-defendants
6. Do not possess a firearm, destructive device, or other dangerous weapon
7. Do not use alcohol at all
8. Do not use or unlawfully possess a narcotic drug or other controlled substance, unless prescribed by a licensed medical practitioner
9. Submit to substance abuse testing/treatment as directed by Pretrial Services
10. Report to the U.S. Marshal for processing within one week

Respectfully presenting petition for action of court and for cause as follows:

Since being released on bond, the defendant has been supervised by Pretrial Services in the Central District of California.

On December 13, 2021, Your Honor amended the defendant's release conditions to include "location monitoring-curfew as directed by Pretrial Services, to include an alcohol detection device, and technology as directed by Pretrial Services."

The defendant is being monitored by a device called SoberLink, which is a pocket-sized device that the defendant is required to keep on his person. The device enables Pretrial Services to schedule breathalyzer testing to detect the presence of alcohol.

On February 25, 2022, the defendant missed an alcohol test at 08:57 A.M. At 09:31 A.M., he completed a breathalyzer test, and his blood alcohol level was 0.025. He denied using alcohol, and he said he used mouthwash. At 10:08 A.M., he tested again, and his blood alcohol level was 0.016; he continued to deny alcohol use. As a result, testing was increased.

On February 27, 2022, the defendant missed an alcohol test. Later, he advised Pretrial Services he was asleep. As a result, Pretrial Services reduced his curfew hours.

The defendant continues to attend weekly substance abuse group treatment. Aside from the information listed above, no other violations have occurred.

Pretrial Services respectfully recommends that a condition be added to the Order Setting Conditions of Release to have the defendant pay all or part of the cost of location monitoring as directed by Pretrial Services. The defendant is employed full-time.

On March 9, 2022, Pretrial Services spoke with defense counsel, Winston Kevin McKesson; he did not object to the bond amendment listed below. Pretrial Services attempted to contact the Assistant U.S. Attorney, but at the time of this report, contact has been unsuccessful.

PRAYING THAT THE COURT WILL AMEND THE ORDER SETTING CONDITIONS OF RELEASE TO INCLUDE THE FOLLOWING CONDITION: "THE DEFENDANT MUST PAY ALL OR PART OF THE COST OF LOCATION MONITORING AS DIRECTED BY PRETRIAL SERVICES."

<p>ORDER OF COURT</p> <p>Considered and ordered this 10th day of March, 2022 and ordered filed and made a part of the records in the above case.</p> <p><u>/s/Terrence G. Berg</u> United States District Judge Honorable Terrence G. Berg</p>	<p>I declare under penalty of perjury that the foregoing is true and correct.</p> <p>Executed on March 9, 2022</p> <p>s/Michael Portelli U.S. Pretrial Services Officer</p> <p>Place: Detroit, Michigan Date: March 9, 2022</p>
--	---